

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

JAMES ROBERTS, JR.,

Debtor.

Chapter 13

Case No.: 11-30516 (MBK)

Hearing Date:

Judge: Michael B. Kaplan, U.S.B.J.

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**

☐ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following
(choose one):

1. ☐ Motion for Relief from the Automatic Stay filed by creditor Crusader Lien Services.

A hearing has been scheduled for _____, 20__.

OR

- ☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for _____ @ _____ .m.

2. ☒ Certification of Default filed by creditor, Crusader Lien Services.

I am requesting a hearing be scheduled on this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled on this matter.

I am objecting to the above for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$_____, but have not been accounted for. Documentation in support is attached hereto.

☐ Payments have not been made for the following reasons and debtor proposed repayment as follows (**explain your answer**):

☒ **Other (explain your answer): SEE ATTACHED SHEET**

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: October 4th, 2012

/s/ James Roberts _____
James Roberts, Debtor

Date: _____

, Debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within fourteen (14) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed, the Motion or Certification of Default will be deemed uncontested and no hearing will be scheduled.

James Roberts, Jr.

Case No.: 11-30516 (MBK)

Attachment to Opposition to Crusader Lien Services' Certification of Default

Attached as **Exhibit "A"** please find the Trustee's Report dated October 2nd, 2012, that reflects that I made a \$700.00 payment on September 11th, 2012, and a \$610.00 payment that was credited on October 1st, 2012. On October 1st, 2012, my wife also mailed an initial payment for \$610.00 to the Trustee to bring the Trustee payments current since the Court's Order of June, 2012. The Court will note that according to the Trustee Report, I have paid \$1,200.00 in June, 2012, \$600.00 in July, 2012, \$700.00 in September, 2012, \$610.00 on October 1st, 2012, and there is another \$610.00 in transit.

Attached as **Exhibit "B"** please find the two page printout I received from Lawrence Township confirming that I paid \$2,480.41 to satisfy the 3rd and 4th Quarter 2012 real estate taxes. I am now paid through the payment due February of 2013.

I would respectfully request that the Certification of Default be withdrawn.

EXHIBIT “A”

CASE NUMBER <u>1130516</u>	CASE STATUS CONFIRMED	DATE CONFIRMED 10/11/2011
DEBTOR 1 NAME JAMES ROBERTS JR	TRUSTEE NAME <u>ALBERT RUSSO</u>	DATE CLOSED N/A
DEBTOR 2 NAME	TRUSTEE CITY ROBBINSVILLE, NJ	LAST RECEIPT DATE 10/1/2012

Account Ledger

Date	Claim Number	Name Of Party	Check Number	Description	Receipt Amount	Payment Amount
8/2/2011		N/A		CASHIER'S CHECK	\$600.00	
9/1/2011		N/A		MONEY ORDER	\$600.00	
10/4/2011		N/A		MONEY ORDER	\$600.00	
10/26/2011		N/A		MONEY ORDER	\$500.00	
10/26/2011		N/A		MONEY ORDER	\$100.00	
12/8/2011		N/A		MONEY ORDER	\$600.00	
1/12/2012		N/A		MONEY ORDER	\$600.00	
2/28/2012		N/A		MONEY ORDER	\$600.00	
5/10/2012		N/A		MONEY ORDER	\$600.00	
6/11/2012		N/A		MONEY ORDER	\$500.00	
6/11/2012		N/A		MONEY ORDER	\$200.00	
6/11/2012		N/A		MONEY ORDER	\$500.00	
7/17/2012		N/A		MONEY ORDER	\$500.00	
7/17/2012		N/A		MONEY ORDER	\$100.00	
9/11/2012		N/A		MONEY ORDER	\$700.00	
10/1/2012		N/A		MONEY ORDER	\$610.00	

NOTICE: The information provided herein is based upon the best information available. The information is modified on a regular basis. Neither the Trustee nor the National Data Center certifies that the information is fully accurate or complete and users are cautioned to base any action based upon this information upon independent verification of the information.

EXHIBIT “B”

SEARCH PROCEDURE Case 11-80516-MBK Doc 33 Filed 10/05/12 Entered 10/05/12 16:32:12 Desc Main
 ROBERTS, JAMES JR 127 MERILINE AVE 08648 LDESC: 60X70
 LAWRENCEVILLE, NJ LOC: 127 MERILINE AVE ACCT: SPTAXS: A01
 OLD ID: 92 50 ADDLOTS: 5,46-47 CLASS: 2
 BANK: 00000 MORT ACCT: . USER FIELD: F/C, BANKRUPTCY

TAX YEAR 2012	PAY #1	PAY #2	PAY #3	PAY #4	TOTAL
ORIG BILL	1,119.14	1,119.14	1,221.88	1,221.87	4,682.03
BILL ADJS	.00	.00	.00	.00	.00
PAYMENTS	1,119.14	1,119.14	.00	.00	2,238.28
INTEREST	68.83	18.47	.00	.00	87.30
PAY ADJS	.00	.00	.00	.00	.00
BALANCE	.00	.00	1,221.88	1,221.87	2,443.75
PAYMT DUE	.00	.00	1221.88	1221.87	2443.75
INT 100112	.00	.00	36.66	.00	36.66

LIEN 16 BAL. OUTSIDE LIEN LAST PAY=060412
 NEXT ACCESS = BLK LOT QUAL TYPE REV CODE
 EN=CONTINUE PF2=RECALC INTR. PF4=TRAN HISTORY
 PF6=SHOW LAST YR PF8=SHOW NEXT YR PF9=TENANT
 10/01/12 11:42:27

\$ 2,480.41

